

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

ROSALIND ENOCH,  Plaintiff,  vs.  DAHLE/MEYER IMPORTS, LLC, et al.,  Defendants.	ORDER & MEMORANDUM DECISION    Case No. 2:005CV409 TC
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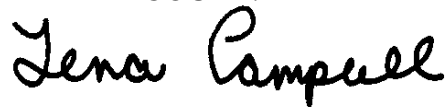
This matter is before the court on motion by Defendant I4 Commerce, Inc., to dismiss pursuant to Federal Rule of Civil Procedure 12 (b)(6).

I4 Commerce's motion was filed on October 11, 2005, and properly served on Plaintiff Rosalind Enoch at that time. Rule 7-1(b)(3) of the Rules of Practice for the United States District Court for the District of Utah requires that "a memorandum opposing a motion [including motions under Fed. R. Civ. P. 12(b)] must be filed within fifteen (15) days after service of the motion or within such extended time as allowed by the court." Failure to respond in a timely manner to a motion to dismiss authorizes the court to grant the motion without further notice. See D.U. Civ. R. 7-1(d). Although Ms. Enoch has had ample time to respond to I4 Commerce's motion to dismiss—approximately 35 days since filing of the motion—Ms. Enoch has neither opposed it nor moved for an extension of time.

The court has thoroughly reviewed the materials and finds that I4 Commerce's motion has merit. Accordingly, for the reasons set forth in I4 Commerce's memorandum, its motion is GRANTED and Ms. Enoch's claims against I4 Commerce are dismissed with prejudice.

SO ORDERED this 17<sup>th</sup> day of November, 2005.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL  
United States District Judge